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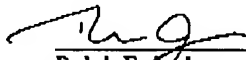
COMMENTS: Please enter the attached Petition in Application 10/796,506 (D-1243).

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CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.6(d)**FACSIMILE TRANSMISSION**

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D-1243

SEP 17 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
Enright, et al.)	
)	
Application No.: 10/796,506)	Art Unit 2621
)	
Confirmation No.: 1933)	
)	
Filing Date: March 9, 2004)	Patent Examiner
)	Anand Shashikant Rao
)	
Title: Cash Dispensing Automated)	
Banking Machine With Improved)	
Fraud Detection Capabilities)	

Director of Technology Center 2600
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PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action ("Action") dated July 19, 2007, kindly enter the following petition under 37 CFR § 1.181 without prejudice.

- 1 -

Petition To Have The Objection To The Drawings Withdrawn

Basis For The Petition

In the Office Action dated February 1, 2007 the drawings were objected to under 37 CFR 1.83(a) because Figure 15 allegedly fails to show an "oscillator" and a "vibratory circuitry" as described in the specification. The Applicants filed a Request for reconsideration on April 12, 2007. The Request included both an amendment to the specification regarding description of Figure 15 and a traversal of the drawing objection. The Examiner maintained the drawing objection in the final Office Action dated July 19, 2007. Thus, Applicants petition herein to have the drawing objection withdrawn because it is legally improper.

The Drawing Objection Is Legally Improper

The drawing objection is based solely on 37 CFR 1.83(a), which states:

"The drawing in a nonprovisional application must show every feature of the invention specified in the *claims*".

However, 37 CFR 1.83(a) provides a drawing exception to the above "every feature" statement with regard to "conventional features" that are both claimed and disclosed. That is, 37 CFR 1.83(a) further states:

"However, conventional features disclosed in the description *and* claims, where their detailed illustration is not essential for a proper understanding of the [claimed] invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation".

The 37 CFR 1.83(a) language reads "conventional features disclosed in the description *and* claims", not "description *or* claims". The Examiner correctly admits (in the final Action at page 3, lines 14-19) that every claimed feature in the present application is shown in the drawings. Furthermore, neither "oscillator" nor "vibration circuitry" appears in any *claim*. If a feature is not recited in a claim, then it cannot be *essential for a proper understanding* of the claimed invention. Thus, Applicants respectfully submit that 37 CFR 1.83(a) is not applicable to the pending claims, and the objection should be withdrawn.

Also, the Examiner's indicated need for a "*structural* detail" (Action dated February 1, 2007 at page 2, first paragraph) showing of an "oscillator" and a "vibratory circuitry" in order to personally understand the claimed invention is without legal basis. The present application comprises *process* claims. It is established USPTO policy that when an application includes at least one process claim, then a drawing is *not* necessary for an *understanding of the invention*. Note MPEP § 601.01(f) and MPEP § 508.02(III). Thus, the drawing objection is *prima facie* contrary to USPTO examination policy, and should be withdrawn.

Furthermore, the specification does not refer to reference numerals in Figure 15 which correspond to an "oscillator" or a "vibration circuitry". Again, the objection is legally improper and should be withdrawn.

Lastly, the Examiner appears to indicate (in the final Action at page 4, lines 3-4) that the objection is based on some possible future act by Applicants. Thus, the objection is further legally improper because it is not based on the pending claims. For this additional reason the objection should be withdrawn.

Conclusion

Applicants respectfully request grant of their petition to have the objection withdrawn.

Respectfully submitted,



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